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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/648,329	08/27/2003	Sung-Ro Go	1293.1802	5351
21171 7590 03/25/2009 STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005				
EXAMINER				
GHESY, ADAM				
ART UNIT		PAPER NUMBER		
2627				
MAIL DATE		DELIVERY MODE		
03/25/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/648,329

Applicant(s)

GO, SUNG-RO

Examiner

ADAM R. GIESY

Art Unit

2627

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 January 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 15-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 15-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 1-5 and 15-17 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Independent claims 1 and 15 recite "a speed interface unit" which is not defined in the instant specification. Examiner asserts that the newly added claim language is not supported by the specification and thus constitutes new matter.

In the interest of furthering prosecution, Examiner will read 'speed interface unit' to mean 'additional medium' as defined in the instant specification.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-5 and 15-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Bradford (USPN 3,423,524).

Regarding claim 1, Bradford discloses a disc drive which records data on a disc, the disc drive comprising: a clock generator which generates a clock signal that is synchronized with a transmission speed of a received signal (see Figure 3, element 44); a pickup unit which records recording data corresponding to the received signal on the disc (16); a recording processing unit which converts the received signal into the recording data by synchronizing with a clock signal generated from the clock generator and provides the converted recording data to the pickup unit (44); a spindle motor which rotates the disc (12); a spindle motor driving unit which controls a rotation speed of the spindle motor by using the clock signal generated from the clock generator (43), wherein the received signal is from a channel receiver without a speed interface unit between the channel receiver and the disc drive (see Figure 3, elements 11, 14, 16, and 44 – note the electrical path between elements 44 and 16 wherein the signal is directly recorded onto the recording disc 11 via incident beam 17).

Furthermore, Examiner restates for the record that it can be clearly seen that the timing disc being disclosed by Bradford is clearly not between the recording medium and the video source (see Figure 3). Examiner notes that the timing disc is also part of the disc drive and therefore cannot physically exist as a medium between the video source and the disc.

Claims 2-5 remain in their original form and are thus rejected for the same reasons as discussed in the previous non-final Office Action mailed on 3/17/2008.

Regarding claim 15, Bradford discloses a method of controlling a recording speed of a disc drive capable of recording data on a disc, comprising: generating a

clock signal that is synchronized with a transmission speed of a received signal (see Figure 3, elements 44 and 44' – note that the sync and video signals are combined into signal 44'); converting the received signal into recording data that is to be recorded on the disc by synchronizing with the clock signal (column 10, lines 32-44); recording the converted recording data on the disc (see column 10, line 10); and controlling a rotation speed of a spindle motor that rotates the disc by synchronizing with the clock signal (column 10, lines 24-31), wherein the received signal is from a channel receiver without a speed interface unit between the channel receiver and the disc drive (see Figure 3, elements 11, 14, 16, and 44 – note the electrical path between elements 44 and 16 wherein the signal is directly recorded onto the recording disc 11 via incident beam 17).

Furthermore, Examiner restates for the record that it can be clearly seen that the timing disc being disclosed by Bradford is clearly not between the recording medium and the video source (see Figure 3). Examiner notes that the timing disc is also part of the disc drive and therefore cannot physically exist as a medium between the video source and the disc.

Claims 16 and 17 remain in their original form and are thus rejected for the same reasons as discussed in the previous non-final Office Action mailed on 3/17/2008.

Response to Arguments

5. Applicant's arguments filed 1/14/2009 have been fully considered but they are not persuasive.

Conclusion

Art Unit: 2627

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ADAM R. GIESY whose telephone number is (571)272-7555. The examiner can normally be reached on 8:00am- 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne R. Young can be reached on (571) 272-7582. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ARG 3/20/2009

/Adam R. Giesy/
Examiner, Art Unit 2627

/Wayne Young/
Supervisory Patent Examiner, Art Unit 2627